

IN RE: PETITION FOR SPECIAL HEARING  
E/S Cradock Lane, 1500' +/-  
N of Reisterstown Road  
3rd Election District  
3rd Councilmanic District  
Diversified Cradock Estates  
Ltd. Partnership - Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 88-506-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve a second amended final development plan to "Cradock Estates" to reduce the number of lots from 113 to 106 and to reduce the minimum setback line for Lot #22, Harvest Rush Road, from 25' to 20', as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Ellwood Sinsky, Vice President, appeared and testified. There were no Protestants.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing was not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, to grant the relief requested will not be detrimental to the public health, safety, and general welfare.

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

tent with the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, it appears the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of June, 1988 that the Petition for Special Hearing to approve a second amended final development plan to "Cradock Estates" to reduce the number of lots from 113 to 106 and to reduce the minimum setback line for Lot #22, Harvest Rush Road from 25' to 20', in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 6/30/88  
By [Signature]

JRH:bjs

DESCRIPTION

OF THE OUTLINE BOUNDARY OF CRADOCK ESTATES LOCATED IN THE 3RD. ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point at the north-western-most corner of the property outline of Cradock Estates; said point being distant 355' more or less north of the intersection of Berry Vine Drive and Cradock Lane as measured along the centerline of Cradock Lane. Leaving said point for the following nineteen (19) courses and distances, viz: (1) North 88 degrees, 42 minutes, 27 seconds East, 420.71 feet more or less; (2) South 88 degrees, 33 minutes, 48 seconds East, 795.07 feet more or less; (3) South 29 degrees, 40 minutes, 12 seconds East, 266.48 feet more or less; (4) South 28 minutes, 55 seconds East, 1,153.50 feet more or less; (5) South 85 degrees, 35 minutes, 5 seconds West, 932.23 feet more or less; (6) North 14 degrees, 18 minutes, 25 seconds West, 89.70 feet more or less; (7) North 17 degrees, 30 minutes, 30 seconds West, 173.89 feet more or less; (8) North 10 degrees, 33 minutes, 30 seconds West, 100.00 feet more or less; (9) North 5 degrees, 48 minutes, 10 seconds West, 189.03 feet more or less; (10) North 10 degrees, 23 minutes, 20 seconds West, 99.91 feet more or less; (11) North 17 degrees, 48 minutes West, 100.00 feet more or less; (12) North 30 degrees, 57 minutes West, 80.00 feet more or less; (13) North 34 degrees, 11 minutes West, 100.00 feet more or less; (14) North 27 degrees, 7 minutes West, 100.00 feet more or less; (15) North 14 degrees, 25 minutes West, 100.00 feet more or less,

(16) North 9 degrees, 54 minutes, 40 seconds West, 171.13 feet more or less; (17) North 12 degrees, 20 minutes, 20 seconds West, 100.00 feet more or less; (18) North 16 degrees, 37 minutes, 20 seconds West, 100.00 feet more or less; (19) North 22 degrees, 15 minutes, 40 seconds West, 100.00 feet more or less to the point of beginning.

Parcel containing 36.751 acres of land more or less.

Being the entire outline as shown on the "Second Amended Final Development Plan of Cradock Estates".

03-03-88  
88-109

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 7/2/88 ACCOUNT 61-614

AMOUNT \$ 100.00

RECEIVED BY [Signature]

FOR [Signature]

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR SPECIAL HEARING  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-506-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a SECOND AMENDED FINAL DEVELOPMENT PLAN TO REDUCE THE NUMBER OF LOTS FROM 113 TO 106 LOTS AND TO REDUCE THE MINIMUM SETBACK LINE FOR LOT 22, HARVEST RUSH ROAD FROM 25' TO 20'.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney's Telephone No.

Legal Owner(s):  
DIVERSIFIED CRADOCK ESTATES  
LIMITED PARTNERSHIP  
(Type or Print Name)  
D. (A. CRADOCK ESTATES, INC.  
GENERAL PARTNERSHIP  
(Type or Print Name)  
Signature  
Address  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
SAMUEL B. SUOCKLEY, VICE PRESIDENT  
DEVELOPMENT ENGR'G CONSULTANTS, INC.  
8003 YORK ROAD  
Address  
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of MARCH 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of JUNE 1988, at 9 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

ECO-No. 1

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

TOWSON, MD. June 9, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 2, 1988.

OWINGS MILLS TIMES,  
Publisher

NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at 9:00 a.m.  
Petition for Special Hearing  
Case number: 88-506-SPH  
E/S Cradock Lane, 1500' +/- N of Reisterstown Road  
3rd Election District  
3rd Councilmanic District  
Diversified Cradock Estates Limited Partnership  
Hearing Date: Thursday, June 23, 1988 at 9:00 a.m.  
Special Hearing: A "Second Amended Final Development Plan" Cradock Estates to reduce the number of lots from 113 to 106 lots and to reduce the minimum setback line for lot 22 Harvest Rush Road from 25 feet to 20 feet.  
In the event that the Petition is granted, a building permit may be issued within the 30-day period. The Zoning Commission will consider the petition and request for a stay of the issuance of said permit during this period. Such request must be in writing and received in the office by the date of the hearing or above as provided in the hearing.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
120 June 8

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd  
Posted for: Special Hearing  
Petitioner: Diversified Cradock Estates Limited Partnership  
Location of property: E/S Cradock Lane, 1500' +/- N of Reisterstown Road  
Location of Sign: E/S Cradock Lane, approx. 300' North of Berry Vine Drive  
Remarks: [Signature]  
Posted by: [Signature]  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353  
J. Robert Haines  
Zoning Commissioner

June 30, 1988

Mr. Ellwood Sinsky  
Vice President  
Diversified Cradock Estates Ltd. Partnership  
2416 Velvet Valley Way  
Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL HEARING  
E/S Cradock Lane, 1500' +/- N of Reisterstown Road  
3rd Election District; 3rd Councilmanic District  
Diversified Cradock Estates Ltd. Partnership - Petitioner  
Case No. 88-506-SPH

Dear Mr. Sinsky:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs  
Enclosure  
cc: People's Counsel

File

"DUPLICATE"  
CERTIFICATE OF PUBLICATION

TOWSON, MD. June 2, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 2, 1988.

THE JEFFERSONIAN,  
Publisher

S. Zafe Orkin

88-506-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 23rd day of March, 1988.

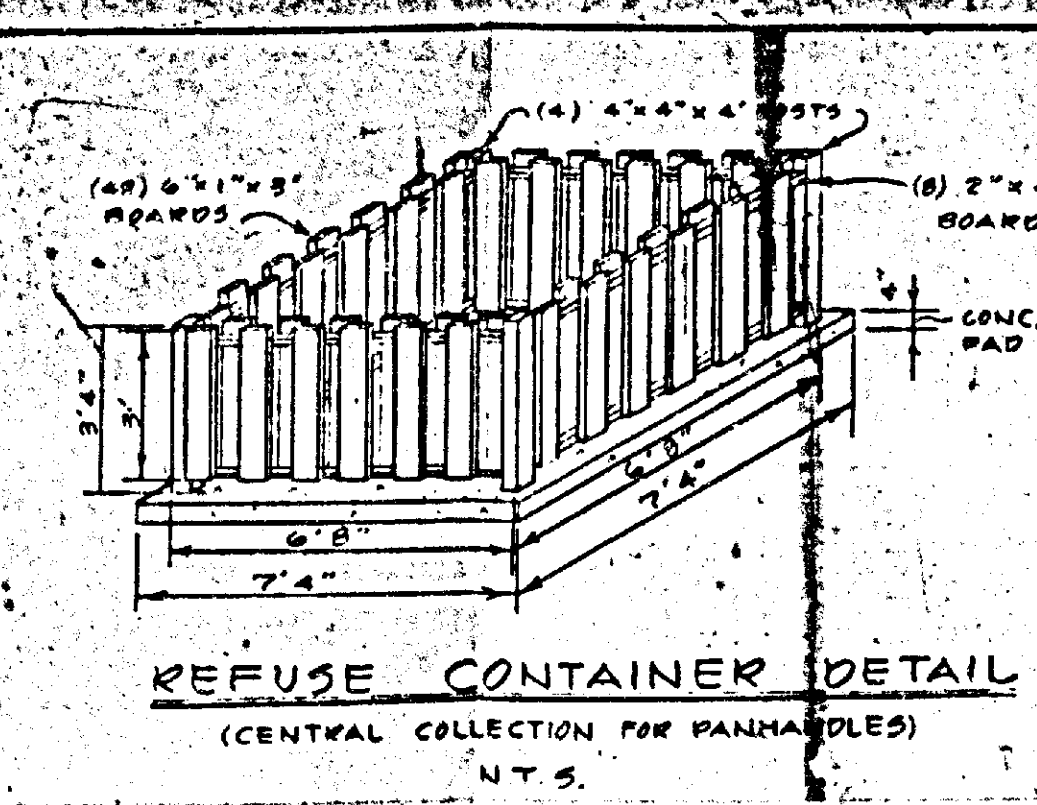
J. Robert Haines  
Zoning Commissioner

Petitioner: Diversified Cradock Estates Ltd Partnership  
Petitioner's Attorney: Ellwood Sinsky  
Received by: James S. Zafe  
Chairman, Zoning Plans Advisory Committee



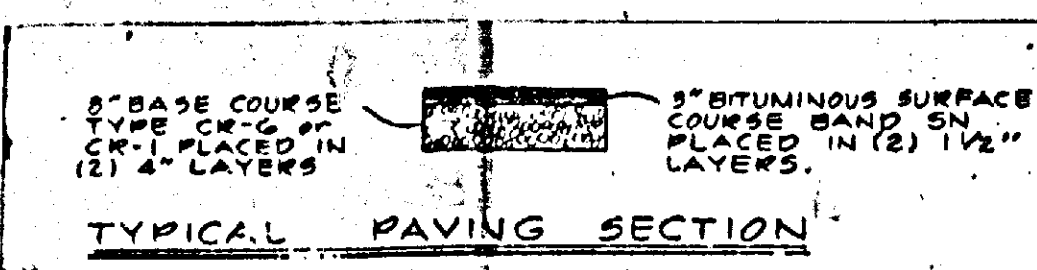
**1**





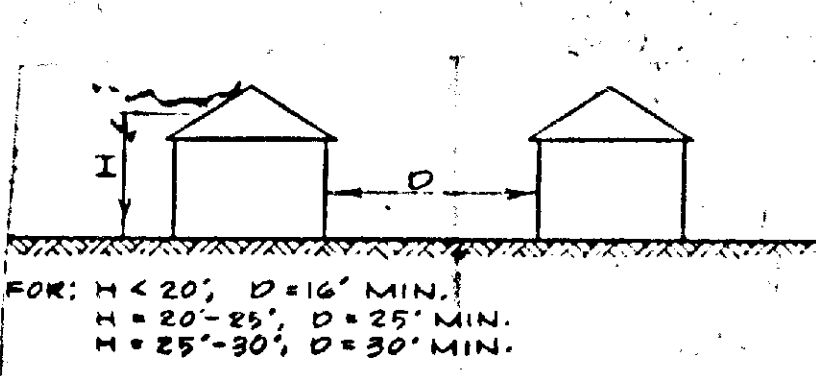
**DENSITY CALCULATIONS**

GROSS AREA	36.751 ACRES
HIGHWAY DEDICATION	1.267 ACRES
NET AREA	35.484 ACRES
ZONING	NC 3
DC 35	0.72 ACRES
LOTS PERMITTED	3609 X 35 = 12611
LOTS PROPOSED	106
GROSS DENSITY	307
NET DENSITY	318
OPEN SPACE REQUIRED	106 X 450 SF = 47700
OPEN SPACE PROPOSED	1.970 ACRES



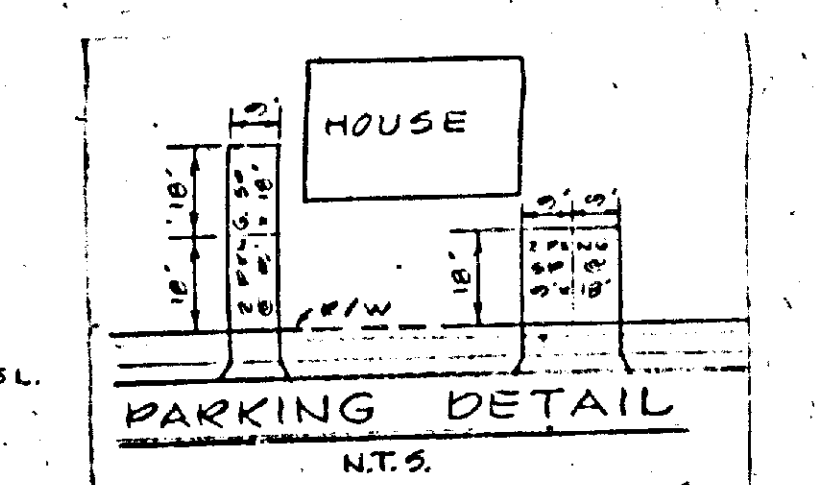
**ZONING REQUIREMENTS**

WHERE WINDOWS ARE PROPOSED	TO WINDOW TO WINDOW
15' WINDOW TO TRACT BOUNDARY	TO PROPERTY LINE
25' WINDOW TO RIGHT OF WAY	TO TRACT BOUNDARY
30' BUILDING TO TRACT BOUNDARY	TO TRACT BOUNDARY
MINIMUM SIDE YARD	MINIMUM SIDE YARD



**LEGEND**

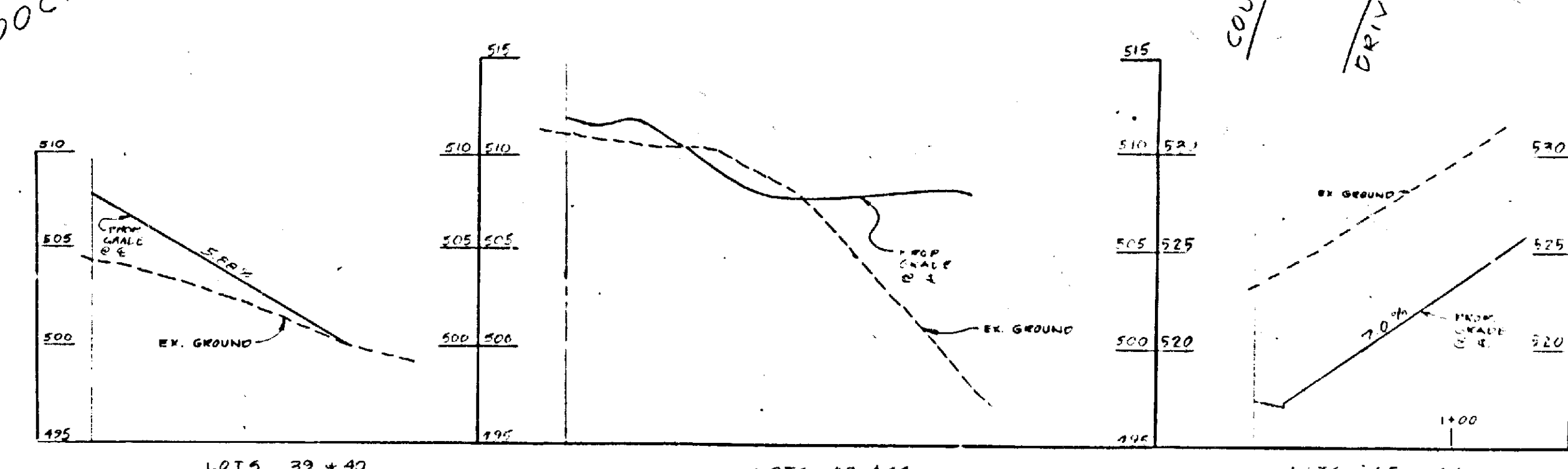
ADT - 100	STREET LIGHT - A
PROPOSED CONTOUR - 10	EXISTING CONTOUR - 10
SOIL TYPE DIVISION - 10	MINIMUM BUILDING SETBACK LINE - MSL



- NOTES**
1. CSD REFERENCE: 6/11/300
  2. UNITS TO BE 500
  3. DATE APPROVED: 6/11/300
  4. PARKING REQUIRED: 2 PARKING SPACES PER UNIT
  5. PARKING PROPOSED: 2 PARKING SPACES PER UNIT
  6. LANDSCAPE REQUIREMENT: MINIMUM OF ONE TREE PER LOT
  7. DRIVEWAY ARE TO BE 10' MIN. THE EXIST. LOCATION OF CURB CUT OR DRIVEWAY OR PARKING PAD ENLARGED ARE TO BE DETERMINED BY OWNER WHEN EXIST. PARKING PAD IS AVAILABLE BUT PRIOR TO INSTALLATION OF STREET CURB
  8. PANHANDLE DRIVE ARE TO BE BITUMINOUS AND MAINTENANCE WILL BE PROVIDED BY HOMEOWNERS ASSOCIATION
  9. REFUSE COLLECTION AND SNOW REMOVAL ARE TO BE PROVIDED BY BALTIMORE COUNTY
  10. STORMWATER WILL BE MANAGED IN 2 DRY POND, WHICH WILL BE OWNED AND MAINTAINED BY BALTIMORE COUNTY
  11. OPEN SPACE TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION
  12. THERE ARE NO EXISTING OR PROPOSED WELL - SEPT AREAS ON THIS SITE
  13. THERE ARE NO EXISTING STRUCTURES ON THIS SITE
  14. THERE ARE NO KNOWN WETLANDS, CRITICAL AREAS, OR HAZARDOUS MATERIALS ON THIS SITE
  15. MAJOR VEGETATION ON SITE IS WOODS
  16. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, PROTECTIONS, AND VARIOUS OTHERS WITH SECTIONS 400 AND 500 ENVELOPE, BUT NOT BE DEVELOPED FOR ALL UTILITIES. ANY INQUIRY SHOULD HAVE BEEN MADE WITH BALTIMORE COUNTY FOR APPLICABLE BUILDING PERMITS
  17. LIMITS OF AREAS DESIGNATED FOR SAVING EXISTING VEGETATION APPROXIMATE AND SUBJECT TO APPROVED FINAL CONSTRUCTION DRAWING
  18. TREESWALLS TO BE PROVIDED

**SOILS LIMITATIONS**

SOIL TYPE	HYDROLOGICAL CLASS	WITH BASEMENTS	W/O BASEMENTS	STREETS + PARKING
CCB2	B	SLIGHT	SLIGHT	MODERATE SLOPE
CCB2	B	SEVERE SLOPE	MODERATE SLOPE	SEVERE SLOPE
CCB2	B	SEVERE HIGH WATER TABLE	MODERATE HIGH WATER TABLE	SEVERE HIGH WATER TABLE
CCB2	B	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE
CCB2	B	SEVERE SLOPE	SEVERE SLOPE	SEVERE SLOPE



REASON FOR AMENDMENT DATED JUNE 24, 1987

1. RECONFIGURED LOT LINES OF LOTS 38 THRU 44
2. NO LOTS HAVE BEEN SOLD WITHIN 300 FEET OF CHANGE
3. REVISOR DENSITY & PARKING CALCULATIONS PER NOTE 2

**PETITIONER'S EXHIBIT 1**

SECOND AMENDED

FINAL DEVELOPMENT PLAN

**CRADOCK ESTATES**